

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
 )  
 v. ) CRIMINAL NO. 04-10245-RGS  
 )  
 ANDREW PERRY )

ASSENTED-TO MOTION TO CONTINUE SENTENCING

Defendant, Andrew Perry, moves to continue the sentencing hearing in the above-entitled matter, presently scheduled for April 25, 2006, to a date convenient to the Court during the week of May 8, 2006.<sup>1</sup> As reasons therefore, counsel states the following:

1. The Probation Department has completed the presentence investigation and issued its final Presentence Report.
2. Counsel expects to file a sentencing memorandum requesting that the Court impose a statutory, non-guideline sentence.
3. This Court's sentencing procedural Order requires that file such a memorandum be filed not less than three (3) days before the sentencing hearing.
4. Undersigned counsel is to begin trial before Judge Lindsay in United States v. Andrew Lewis, No. 04-10317-RCL on April 24, 2006, the day before the sentencing in this matter.
5. Counsel's attention to this matter has been diverted by the pretrial preparation for the Lewis matter. For example, the government in the Lewis matter has filed a number of motions in limine and other pleadings that have required (and continue to require) responses before trial begins.

<sup>1</sup>Counsel must appear for jury duty in a local state district court on May 10, 2006.

6. As a consequence, counsel has been unable and will not be able to complete the sentencing memorandum for filing in conformity with the Court's procedural Order.
7. Counsel therefore requests a brief continuance to file a sentencing memorandum in a timely manner.
8. The government, by and through Assistant U.S. Attorney Nadine Pellegrini, assents to this motion.

ANDREW PERRY  
By His Attorney,

/s/ Timothy Watkins  
Timothy G. Watkins  
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CERTIFICATE OF SERVICE

I, Timothy G. Watkins, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), as well as on Assistant U.S. Attorney Nadine Pellegrini by electronic mail, on April 21, 2006.

/s/ Timothy G. Watkins  
Timothy G. Watkins